

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>2/17/2023</u>
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

**Order of Restitution**

v.

09 CR 958-9

DAVID RAMNAUTH

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Upon the application of the United States of America, by its attorney, Damian Williams, United States Attorney for the Southern District of New York, Melissa A. Childs, Assistant United States Attorney, of counsel; the presentence investigation report; the defendant's conviction on Count One of the Indictment; and all other proceedings in this case, it is hereby ORDERED that:

**1. Amount of Restitution**

DAVID RAMNAUTH, the defendant, shall pay restitution in the total amount of \$5,364,500.00, pursuant to 18 U.S.C. §§ 3663A-3664, to the victims of the offense charged in Count One, conspiracy to commit wire fraud and bank fraud. The names, addresses, and specific amounts owed to each victim are set forth in the Amended Judgment (Dkt. 179). Upon advice by the United States Attorney's Office of a change of address of a victim, the Clerk of Court is authorized to send payments to the new address without further order of this Court.

**A. Joint and Several Liability**

Restitution in the amount of \$430,000.00 to Fremont Investment & Loan is joint and several with RAJNARINE SINGH in 10 CR 385. The defendant's liability to pay restitution shall continue unabated until either the defendant has paid the full amount of restitution ordered herein, or every victim in the Amended Judgment has recovered the total amount of each loss from the restitution paid by the defendant and all co-defendants ordered to pay the same victims.

**B. Apportionment Among Victims**

Pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid. Restitution shall be paid to the victims identified in the Amended Judgment on a pro rata basis, whereby each payment shall be distributed proportionally to each victim based upon the amount of loss for each victim.

**2. Schedule of Payments**

As set forth in the Amended Judgment, pursuant to 18 U.S.C. § 3664(f)(2), in consideration of the financial resources and other assets of the defendant, including whether any of these assets are jointly controlled; projected earnings and other income of the defendant; and any financial obligations of the defendant; including obligations to dependents, at sentencing the Court ordered restitution to be paid at the rate of 15% of the defendant's gross monthly earnings during the period of supervised release. The amount remaining unpaid after the term of supervised release has expired is collectible by the Government pursuant to 18 U.S.C. § 3664(m)(1)(A).

**3. Payment Instructions**

The defendant shall make restitution payments by certified check, money order, or online. Instructions for online criminal debt payments are available on the Clerk of Court's website at <https://nysd.uscourts.gov/payment-information#PaymentofCriminalDebt>. Checks and money orders shall be made payable to the "SDNY Clerk of Court" and mailed or delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The defendant shall write his name and the docket number of this case on each check or money order.

**4. Change in Circumstances**

The defendant shall notify, within 30 days, the Clerk of Court and the United States Attorney's Office, 86 Chambers Street, 3rd Floor, New York, New York 10007 (Attn: Financial Litigation Program) of (1) any change of the defendant's name, residence, or mailing address or (2) any material change in the defendant's financial resources that affects the defendant's ability to pay restitution in accordance with 18 U.S.C. § 3664(k).

**5. Term of Liability**

The defendant's liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the defendant's release from imprisonment, as provided in 18 U.S.C. § 3613(b). Subject to the time limitations in the preceding sentence, in the event of the death of the defendant, the defendant's estate will be held responsible for any unpaid balance of the restitution amount, and any lien filed pursuant to 18 U.S.C. § 3613(c) shall continue until the estate receives a written release of that liability.

SO ORDERED:



HONORABLE ANALISA TORRES  
UNITED STATES DISTRICT JUDGE

February 17, 2023  
DATE